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SUBJECT: ZIMBABWE -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. (A) STATE 59732
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Zimbabwe of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Zimbabwe and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Zimbabwe of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Zimbabwe,s country narrative in the 2009 TIP Report:

ZIMBABWE (TIER 3)

Zimbabwe is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Large scale migration of Zimbabweans to surrounding countries has increased) as they flee a progressively more desperate situation at home) and NGOs, international organizations, and governments in neighboring countries report that some of these Zimbabweans face human trafficking. Rural Zimbabwean men, women, and children are trafficked within the country to farms for agricultural labor and to cities for forced domestic labor and commercial sexual exploitation. NGOs believe internal trafficking increased during the year, largely due to the closure of schools, worsening political violence, and a faltering economy. In 2008, Zimbabwean security forces consolidated their control of mining in the Marange region, forcing members of the local population to mine for diamonds.

Between the March 2008 presidential election and the June 2008 run-off, youth militias controlled by Robert Mugabe,s ZANU-PF political party abducted and held an unknown number of women and girls, particularly opposition supporters, in sexual and domestic servitude at command bases.

Zimbabwean women and children are trafficked for domestic servitude and sexual exploitation, including in brothels, along both sides of the country,s borders with Botswana, Mozambique, South Africa, and Zambia. Young men and boys are trafficked to South Africa for farm work, often being forced to labor for months in South Africa without pay before employers have them arrested and deported as illegal immigrants. Small numbers of Zimbabwean men are trafficked for work in Mozambique,s construction industry. Young women and girls are lured to South Africa and potentially other countries with false employment offers that result in involuntary domestic servitude or forced prostitution. Men, women, and children from the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia are trafficked through Zimbabwe en route to South Africa.

The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government made minimal progress in combating trafficking in 2008, and members of its military and the former ruling party,s youth militias perpetrated acts of trafficking on local populations. The government,s anti-trafficking efforts were further weakened as it failed to address Zimbabwe,s economic and social problems during the reporting period, thus increasing the population,s vulnerability to trafficking within and outside of the country.

Recommendations for Zimbabwe: Cease the use by members of security forces of local populations for forced diamond mining; prosecute, convict, and punish trafficking offenders; advance comprehensive anti-trafficking legislation; formalize procedures for interviewing victims and transferring them to the care of NGOs; and launch a broad awareness-raising campaign that educates all levels of government officials, as well as the general public, on the nature of trafficking and the availability of assistance for victims.

Prosecution

The government did not provide any data on its anti-trafficking law enforcement efforts during the year, including any data on prosecutions and convictions of traffickers. Zimbabwe does not prohibit all forms of trafficking in persons, though existing statutes outlaw forced labor and numerous forms of sexual exploitation. Forced labor offenses are punishable by a fine or two years, imprisonment, or both; these penalties are not sufficiently stringent or commensurate with those prescribed for other grave crimes. The government reported in 2007 that it was drafting comprehensive trafficking legislation; however, the draft was neither publicly available nor introduced in Parliament during the last year. Parliament was not sworn in until August 2008 following March elections; the newly elected parliamentarians have not yet formed the committees that review and propose legislation. The government failed to provide information on anti-trafficking law enforcement activities conducted during the reporting period. The Ministry of Justice reported that none of the cases investigated in 2007 was brought to trial during 2008. The government did not provide specialized anti-trafficking training for law enforcement officials.

Protection

The growing number of illegal migrants deported from South Africa and Botswana, combined with a crippling lack of resources, severely impeded the government's ability to effectively identify victims of trafficking among returnees. The Department of Immigration required all deportees returning from South Africa via the Beitbridge border crossing to attend an IOM-led briefing on safe migration, which includes a discussion on human trafficking and IOM and NGO assistance services. The reception center's social workers) who are employed by the Department of Social Welfare, but funded and trained by IOM) screened the deportees and referred them to NGO shelters; one trafficking victim was identified through this process in 2008. The District Council of Beitbridge employed one child protection officer and convened a child protection committee to coordinate programs and resources on issues relating to children. In May 2008, IOM opened a second reception center at the Plumtree border crossing for Zimbabweans deported from Botswana. Although the government has an established process for referring victims to international organizations and NGOs that provide shelter and other services, in 2008 the government primarily depended on these organizations to identify trafficking victims and alert the authorities. However, the Zimbabwe Republic Police's Victim Friendly Unit referred three victims to IOM during the reporting period. The government generally encourages victims to assist in the prosecution of traffickers, but is not believed to have prosecuted trafficking offenses during the year. Likewise, the government did not inappropriately incarcerate or otherwise penalize victims for unlawful acts committed as a direct result of being trafficked. It could have offered foreign victims relief from deportation while they receive victim services and their cases are investigated, though there were no cases of victims receiving such relief in 2008. With the exception of deportees from South Africa and Botswana, the government's law enforcement, immigration, and social services do not have a formal system for proactively identifying trafficking victims among vulnerable populations.

Prevention

The government did not conduct anti-trafficking information or education campaigns during the reporting period, and there remained a general lack of understanding of human trafficking across government agencies, especially at the local level. Senior government officials occasionally spoke, however, about the dangers of trafficking and illegal migration, and the state-run media printed and aired warnings about false employment scams and exploitative labor conditions. During the year, all four government-controlled radio stations aired

an IOM public service announcement eight times each day in five languages during peak migration periods. The inter-ministerial anti-trafficking task force took no concrete action during the year. Anecdotal reports indicated that the worsening economy reduced the demand for commercial sex acts, though there were no known government efforts to reduce the demand for forced labor or the demand for commercial sex acts. Information was unavailable regarding measures adopted by the government to ensure its nationals deployed to peacekeeping missions do not facilitate or engage in human trafficking. Zimbabwe has not ratified the 2000 UN TIP Protocol.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch

List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier

classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why was Zimbabwe placed on Tier 3?

A: Zimbabwe is placed on Tier 3 because the government made minimal progress in combating trafficking in 2008 and its military and the former ruling party's youth militias perpetrated acts of trafficking on local populations. The government's anti-trafficking efforts were further weakened as it failed to address Zimbabwe's economic and social

problems during the reporting period, thus increasing the population's vulnerability to trafficking within and outside of the country. The government's anti-trafficking law enforcement efforts were nonexistent during the year, particularly with regard to prosecutions and convictions of traffickers, and it did not conduct anti-trafficking information or education campaigns.

Q2: What have been Zimbabwe's efforts in the past year?

A: The Department of Immigration required all deportees returning from South Africa via the Beitbridge border crossing to attend an IOM-led briefing on safe migration, which includes a discussion on human trafficking and IOM and NGO assistance services. The reception center's social workers) who are employed by the Department of Social Welfare, but funded and trained by IOM) screened the deportees and referred them to NGO shelters. The Zimbabwe Republic Police's Victim Friendly Unit referred three victims to IOM during the reporting period. All four government-controlled radio stations aired an IOM public service announcement eight times each day in five languages during peak migration periods.

Q3: What can Zimbabwe do to further the fight against trafficking in persons?

A: To advance its anti-trafficking efforts, the Zimbabwe could: cease the security forces' use of local populations for forced diamond mining; prosecute, convict, and punish trafficking offenders; advance comprehensive anti-trafficking legislation; formalize procedures for interviewing victims and transferring them to the care of NGOs; and launch a broad awareness raising campaign that educates all levels of government officials, as well as the general public, on the nature of trafficking and the availability of assistance for victims.

12. The Department appreciates posts, assistance with the preceding action requests.
CLINTON